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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA

FILED  
2008 MAR -3 AM 9:04  
SOUTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA

Plaintiff,

v.

Norma Leticia MARTINEZ,

Defendant,

Mag. Case Number:

**'08 MJ 0621**

DEPUTY

COMPLAINT FOR VIOLATION OF

Title 21, U.S.C., Sections 952 and 960  
Importation of a Controlled Substance

The undersigned complaint being duly sworn states:

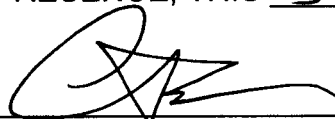
On or about February 29, 2008, within the Southern District of California, Norma Leticia MARTINEZ did knowingly and intentionally import approximately 49.76 kilograms of marijuana, a Schedule I Controlled Substance, into the United States from a place outside thereof; in violation of Title 21, United States Code, Sections 952 and 960.

And the complainant states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.



SPECIAL AGENT  
U.S. IMMIGRATION AND CUSTOMS  
ENFORCEMENT

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS 3 DAY OF  
March, 2008.



MAGISTRATE JUDGE

**CATHY ANN BENCIVENGO**  
**U.S. MAGISTRATE JUDGE**

## PROBABLE CAUSE STATEMENT

I, Special Agent Derren Henderson, declare under penalty of perjury, the following is true and correct:

A Customs and Border Protection (CBP) Officer was conducting primary operations when the driver of a Red Ford Windstar bearing California, United States (CA/US) license plates 6CID487 applied for entry into the United States. The CBP Officer approached the driver, Norma Leticia MARTINEZ, and obtained two negative Customs Declarations. MARTINEZ told the Officer that she has owned the vehicle for six months and that she lived in Tijuana. MARTINEZ further stated that she was headed to work and that her husband worked as a Border Patrol Agent in Anaheim, California. The CBP Officer noticed that she was avoiding eye contact and seemed in a hurry to leave. The CBP Officer tapped the gas tank and it sounded solid. The vehicle was referred to the secondary inspection area for further examination


On February 29, 2008 at approximately 0515 hours, a Canine Enforcement Officer was conducting operations when he made contact with the Red Ford Windstar bearing CA/US license plates 6CID487. The Canine Enforcement Officer's K-9 alerted to the vehicle for a narcotic odor.

In the secondary inspection area, CBP Officers escorted MARTINEZ into the security office and inspected the vehicle. Officers discovered a non-factory compartment under the floor of the Windstar. Examination of the compartment revealed several packages concealed within. One package was probed, which produced a green-leafy substance that field tested positive for marijuana. A total of 29 packages were removed from the vehicle, with a net weight of 49.76 kilograms.

U.S. Immigration and Customs Enforcement (ICE) Special Agents read MARTINEZ her Miranda Rights. MARTINEZ stated that she understood her Rights and was willing to answer questions without the presence of an attorney. MARTINEZ stated that she was offered \$1500 to smuggle marijuana into the United States, but not until the week of March 3, 2008. MARTINEZ was just taking the vehicle into the United States to have the transmission worked on, so it would be ready for the marijuana smuggling venture the following week.

MARTINEZ was arrested and transported to the Metropolitan Correctional Center, in San Diego, CA.

Executed on February 29, 2008

  
Special Agent, U.S. ICE

*W*

U.S. vs MARTINEZ

U.S. Immigration and Customs Enforcement

On the basis of the facts presented in the probable cause statement consisting of 2 pages, I find probable cause to believe that the defendant named in this probable cause statement committed the offense on February 29, 2008 in violation of Title 21, United States Code, Section(s) 952 & 960.



United States Magistrate Judge

2/29/08 @ 11:15 pm

Date/Time

**CATHY ANN BENCIVENGO**  
**U.S. MAGISTRATE JUDGE**